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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

UNITED STATES OF AMERICA, Plaintiff, v. MATTHEW CHARLES KENNEDY (1), LAWRENCE DOSS (2), SANDRA BNI (3), Defendants.	Criminal Case No. '08 CR 0650 JM I N D I C T M E N T Title 18, U.S.C., Sec. 371 and Title 8, U.S.C., Sec. 1324(a)(2)(B)(ii) - Conspiracy to Bring in Illegal Aliens for Financial Gain; Title 8, U.S.C., Sec. 1324(a)(2)(B)(ii) - Bringing in Illegal Aliens for Financial Gain; Title 18, U.S.C., Sec. 2 - Aiding and Abetting; Title 8, U.S.C., Secs. 1324(a)(1)(A)(iii) and (v)(II) - Harboring Illegal Aliens and Aiding and Abetting; Title 8, U.S.C., Secs. 1324(a)(1)(A)(ii) and (v)(II) - Transportation of Illegal Aliens and Aiding and Abetting

The grand jury charges:

Count 1

Beginning at a date unknown to the grand jury and continuing up to and including February 25, 2008, within the Southern District of California, and elsewhere, defendant MATTHEW CHARLES KENNEDY, with the intent to violate the immigration laws of the United States, did knowingly and intentionally conspire with other persons unknown to the grand jury, to commit offenses against the United States to knowingly

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bring in illegal aliens for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

OVERT ACTS

In furtherance of said conspiracy and to accomplish the objects thereof, the following overt acts, among others, were committed by the conspirators within the Southern District of California:

1. On or about January 13, 2008, defendant MATTHEW CHARLES KENNEDY transported five (5) illegal aliens in the passenger compartment and trunk of a grey 1992 Ford Taurus on Buckman Springs Road, near Campo, California.
2. On or about January 27, 2008, defendant MATTHEW CHARLES KENNEDY transported five (5) illegal aliens in the passenger compartment and trunk of a green 1995 Pontiac Grand Prix on Buckman Springs Road, near Campo, California.
3. On or about February 14, 2008, defendant MATTHEW CHARLES KENNEDY transported six (6) illegal aliens in the passenger compartment and trunk of a green 1996 Ford Taurus on Highway 94, near Tecate, California.
4. On or about February 25, 2008, defendant MATTHEW CHARLES KENNEDY kept two (2) aliens inside a recreational trailer located in the Mountain Empire Campground, near Campo, California.

All in violation of Title 18, United States Code, Section 371.

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Count 2

On or about February 25, 2008, within the Southern District of California, defendant MATTHEW CHARLES KENNEDY, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Demitrio Santiago-Santiago, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 3

On or about February 25, 2008, within the Southern District of California, defendants MATTHEW CHARLES KENNEDY and SANDRA BNI, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Demitrio Santiago-Santiago, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a recreational trailer located at Mountain Empire Campground, Space #13, in Campo, California; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and (v)(II).

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Count 4

On or about February 25, 2008, within the Southern District of California, defendant MATTHEW CHARLES KENNEDY, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Simon Felix-Compana, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 5

On or about February 25, 2008, within the Southern District of California, defendants MATTHEW CHARLES KENNEDY and LAWRENCE DOSS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Simon Felix-Compana, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

Count 6

On or about February 25, 2008, within the Southern District of California, defendants MATTHEW CHARLES KENNEDY and SANDRA BNI, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Simon Felix-Compana, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a recreational trailer located at Mountain Empire Campground, Space #13, in Campo, California; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and (v)(II).

Count 7

On or about February 25, 2008, within the Southern District of California, defendant MATTHEW CHARLES KENNEDY, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Pedro Santos-Peralta, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 8

On or about February 25, 2008, within the Southern District of California, defendants MATTHEW CHARLES KENNEDY and LAWRENCE DOSS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Pedro Santos-Peralta, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

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Count 9

On or about February 25, 2008, within the Southern District of California, defendants MATTHEW CHARLES KENNEDY and SANDRA BNI, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Pedro Santos-Peralta, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a recreational trailer located at Mountain Empire Campground, Space #13, in Campo, California; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and (v)(II).

DATED: March 5, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By:

STEVEN D. DE SALVO
Assistant U.S. Attorney